**Attorney's Docket No. SCHL-PAR2** **PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | |
|---|---|
| **In re application of:** | **Dan Schlager et al.** |
| **Serial No.:** | **10/695,560** |
| **Filed:** | **10/27/2003** |
| **For:** | **"Self-Locating Personal Alarm System Equipped Parachute"** |
| **Group No.:** | **2632** |
| **Examiner:** | **Tang, Son M.** |

***Via first class mail***
**Commissioner for Patents**
**P.O. Box 1450**
**Alexandria, VA 22313-1450**

## DECLARATION UNDER RULE 132

I, WILLIAM B. BARINGER, do hereby declare and say:

My residence address is 6111 Westover Drive, Oakland, CA 94611.

I completed a Doctorate degree in Electronic Engineering and Computer Sciences from the University of California at Berkeley in 1990, with research in novel areas of algorithms, architectures, and applications in Image Processing, Speech Recognition, Digital Signal Processing, and VLSI Circuitry. I then led a team of graduate students, as a post-doctorate fellow, in the area of wireless communications systems. My research interests and areas of specialization include Digital Cellular Handset and Cellular Base Station Architectures, RF System Analysis and Design; Digital and Analog Communications Systems; High Speed Data over Copper; RF Propagation Analysis; VLSI Digital Circuits and Architectures; Multi-Dimensional DSP Algorithms; and Wireless LAN RF Modems. I have been an industry consultant to several wireless communication companies in Silicon Valley; as well as a co-founder of Zoltar Satellite Alarm Systems, with GPS-related intellectual property development since 1992.

I am one of the applicants in this patent application [S/N 10/695,560].

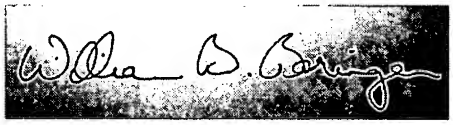
I state the following on the basis of my own personal knowledge and experience, except those matters stated on the basis of information and belief, and as to those matters, I believe them to be true.

I have reviewed the first Office action, Detailed Action section, for U.S. Patent Application, Serial No. 10/695,560, and each prior art reference cited therein. As a result of this review, I have noted the following factual misstatements made by the Examiner in his characterizations of the Piri et al. [US 6,545,606], Penny, Jr. et al. [US 5,414,432], and Hoffman et al. [US 5,742,233] references.

1. Piri is not disclosed as "self-locating", or any equivalent functionality. Piri explicitly and repeatedly depends on its "DF & ID" (direction finding and identification) receiver at its base station for its location functionality. It cannot "self-locate".
2. Piri's remote unit does not transmit navigational information, so Hoffman's base station cannot receive it. Instead, Piri transmits a fixed radio beacon, relying on its direction finding capabilities at its base station. Nowhere does Piri state transmission of location information, navigational information, lat/long, geo-coordinates, GPS information, etc. As the Examiner correctly states, "Piri does not specifically disclosing [sic] that a radio transmitter connected for transmitting the navigational information."
3. Penny is not voice-activated. When Penny "initializes an emergency alarm condition", it is based on the push button, and not based on the speaker, display or microphone.
4. Hybrid GPS is not "commonly known as satellites networking for position error correction". Hybrid GPS has the capability of receiving signals from satellites and/or ground-based transmitters in order to determine a first position. This is not obvious.
5. Penny does not provide demodulated GPS data. Penny provides geo-location, meaning latitude and longitude coordinates. These are not the same.
6. Penny is not a cellular telephone. Penny is based on a "satellite cellular communication system", relying on a "number of satellites" "in low earth orbit". Penny goes on to describe other aspects of his satellite phone system, and clearly teaches away from conventional terrestrial cellular and PCS systems, as described in the Schlager application.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on the basis of information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing therefrom.

Signed:



William B. Baringer

October 3, 2005
Date